

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

TRAFIGURA TRADING LLC

23-61480-MC-DIMITROULEAS

Plaintiff,

v.

VIRGIN ISLANDS WATER AND  
POWER AUTHORITY,

Defendant,

/

**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE;**  
**OVERRULING OBJECTIONS;**  
**GRANTING EMERGENCY MOTION TO DISSOLVE WRIT OF**  
**GARNISHMENT**

THIS CAUSE is before the Court upon the June 16, 2025 Report and Recommendation on Defendant's Emergency Motion to Dissolve Writ of Garnishment on Defendant's Accounts Located in the Virgin Islands with FirstBank, entered by Magistrate Judge Augustin-Birch (the "Report") [DE 18]. The Court has conducted a *de novo* review of the Report [DE 18], Plaintiff Trafigura Trading LLC LLC ("Plaintiff")'s Objections to the Report and Recommendation [DE 23], and is otherwise fully advised in the premises.

A party seeking to challenge the findings in a report and recommendation of a United States Magistrate Judge must file "written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006) (quoting *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989)). "It is critical that the objection be sufficiently specific and not a general objection to the report." *Macort*, 208 F. App'x at 784 (citing *Goney v. Clark*, 749 F.2d 5, 7 (3d Cir. 1984)). If a party makes a timely and specific

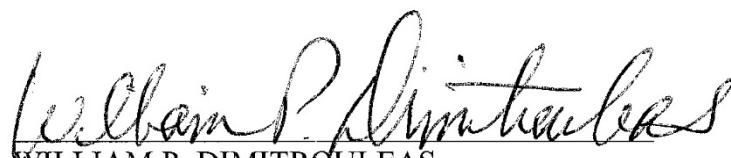
objection to a finding in the report and recommendation, the district court must conduct a *de novo* review of the portions of the report to which objection is made. *Macort*, 208 F. App'x at 783-84; see also 28 U.S.C. § 636(b)(1). The district court may accept, reject, or modify in whole or in part, the findings or recommendations made by the Magistrate Judge. *Macort*, 208 F. App'x at 784; 28 U.S.C. § 636(b)(1). Accordingly, the Court has undertaken a *de novo* review of the record and Plaintiff's Objections to the Magistrate Judge's Report and Recommendation.

The Court agrees with the Magistrate Judge's analysis and conclusions in the Report that the Court lacks jurisdiction to issue a writ to garnish Defendant's FirstBank accounts because those accounts are not located in Florida. Accordingly, Plaintiff's objections are overruled.

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. The Report [DE 18] is hereby **APPROVED**;
2. Plaintiff's Objections [DE 23] are **OVERRULED**;
3. Defendant Virgin Islands Water and Power Authority's Emergency Motion to Dissolve Writ of Garnishment on Defendant's Accounts Located in the Virgin Islands with FirstBank [DE 13] is **GRANTED IN PART AND DENIED IN PART** as follows:
  - a. The Writ of Garnishment directed to FirstBank Puerto Rico [DE 11] is hereby **DISSOLVED**.
  - b. Defendant's request for an award of attorneys' fees and costs is hereby **DENIED**.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 24th day of June, 2025.



WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
Counsel of record  
Magistrate Judge Augustin-Birch